

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KIMEKA SIMMONS, et al.,

Plaintiffs,

v.

BAUER RENTALS, et al.,

Defendants.

Case No. 1:23-cv-00523-JLT-SAB

ORDER DENYING PLAINTIFFS' MOTION
TO COMPEL FURTHER DISCOVERY
RESPONSES AS MOOT

ORDER VACATING MARCH 27, 2024
AND APRIL 22, 2024 HEARING DATES

(ECF Nos. 10, 14)

On October 24, 2024, Plaintiffs filed a motion to compel further discovery responses. (ECF No. 10.) On January 10, 2024, the parties filed a joint statement regarding the discovery disagreement. (ECF No. 11.) The Court heard the motion on January 24, 2024 and, after discussion on the record, the parties agreed to continue the hearing until March 27, 2024 to allow time to produce requested information and meet and confer. Plaintiffs agreed to inform the Court if their requests were satisfied in the interim and, if so, would request the continued hearing date be taken off calendar. On March 25, 2024, the Court ordered the parties to file a status report regarding the remaining discovery issues that required an order from the Court. (ECF No. 13.)

On March 25, 2024, Plaintiff filed a motion to withdraw their motion to compel further discovery responses and set a hearing on the matter on April 22, 2024. (ECF No. 14.) In their instant motion, Plaintiffs submit that the motion to withdraw is made on the grounds that

Defendants have provided adequate responses to the discovery requests. (Id. at 2.) Given Plaintiffs have received compliance with their motion, the Court finds the appropriate action is to construe Plaintiffs' motion to withdraw as a status report regarding compliance with their motion to compel. Consequently, Plaintiffs' motion to compel further discovery responses is now moot and is denied on that basis.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiffs' motion to withdraw (ECF No. 14) is construed as a status report regarding compliance with the motion to compel further discovery responses and the hearing set for April 22, 2024, at 10:00 a.m. in Courtroom 9 is VACATED; and
2. Plaintiffs' motion to compel further discovery responses (ECF No. 10) is denied as moot and the continued hearing set for March 27, 2024, at 10:00 a.m. in Courtroom 9, is VACATED.

IT IS SO ORDERED.

Dated: March 26, 2024


UNITED STATES MAGISTRATE JUDGE